AMENDMENTS TO THE CLAIMS

1-21. (Cancelled).

22. (Currently amended) An isolated nucleic acid having at least 95% nucleic acid sequence identity to:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(c) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966; and

wherein said isolated nucleic acid encodes a polypeptide that has the ability to induce chondrocyte redifferentiation.

23. (Currently amended) The isolated nucleic acid of Claim 22 having at least 96% nucleic acid sequence identity to:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(c) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966; and

wherein said isolated nucleic acid encodes a polypeptide that has the ability to induce chondrocyte redifferentiation.

24. (Currently amended) The isolated nucleic acid of Claim 22 having at least 97% nucleic acid sequence identity to:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(c) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966; and

wherein said isolated nucleic acid encodes a polypeptide that has the ability to induce chondrocyte redifferentiation.

25. (Currently amended) The isolated nucleic acid of Claim 22 having at least ~~95%~~98% nucleic acid sequence identity to:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(e) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966; and

wherein said isolated nucleic acid encodes a polypeptide that has the ability to induce chondrocyte redifferentiation.

26. (Currently amended) The isolated nucleic acid of Claim 22 having at least 99% nucleic acid sequence identity to:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(c) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966; and

wherein said isolated nucleic acid encodes a polypeptide that has the ability to induce chondrocyte redifferentiation.

27. (Currently amended) An isolated nucleic acid comprising:

(a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45;

(b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide;

~~(c) a nucleic acid sequence encoding amino acids 77-310 of the polypeptide of SEQ ID NO:45;~~

~~(d)~~(c) the nucleic acid sequence of SEQ ID NO:44;

~~(e)~~(d) the full length coding sequence of the nucleic acid sequence of SEQ ID NO:44; or

~~(f)~~(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

28. (Previously presented) The isolated nucleic acid of Claim 27 comprising a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45.

29. (Previously presented) The isolated nucleic acid of Claim 27 comprising a nucleic acid sequence encoding the polypeptide of SEQ ID NO:45, lacking its associated signal peptide.

30-31. (Cancelled)

32. (Previously presented) The isolated nucleic acid of Claim 27 comprising the nucleic acid sequence of SEQ ID NO:44.

33. (Previously presented) The isolated nucleic acid of Claim 27 comprising the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:44.

34. (Previously presented) The isolated nucleic acid of Claim 27 comprising the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

35-37 (Cancelled).

38. (Previously presented) A vector comprising the nucleic acid of Claim 22.

39. (Previously presented) The vector of Claim 38, wherein said nucleic acid is operably linked to control sequences recognized by a host cell transformed with the vector.

40. (Previously presented) An isolated host cell comprising the vector of Claim 38.

41. (Previously presented) The isolated host cell of Claim 40, wherein said cell is a CHO cell, an *E. coli* or a yeast cell.

SUMMARY OF INTERVIEW

Applicants thank Supervisor Andres for the courtesy given during the telephonic interview with the undersigned on November 7, 2006.

Exhibits and/or Demonstrations

None

Identification of Claims Discussed

The rejection under 35 U.S.C. § 112, first paragraph of Claims 22-27, 30 and 38-41 was discussed.

Identification of Prior Art Discussed

None

Proposed Amendments

None

Principal Arguments and Other Matters

Supervisor Andres and the undersigned discussed the Written Description Guidelines concerning percent variants of nucleic acids.

Results of Interview

The undersigned and Supervisor Andres agreed that Applicants' claims do not only encompass "human" variant sequences. In fact, the claims encompass any nucleic acid having the recited percent identity and function, regardless of the source of the nucleic acid. Accordingly, Supervisor Andres and the undersigned agreed Applicants claims are not limited to only "human" percent variants and that the inclusion of such a limitation in Applicants claims is not required.